

YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

SEPTEMBER 28, 2004

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 9:40 a.m., within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors Dan Logue, Bill Simmons, Mary Jane Griego, Donald Schrader, and Hal Stocker. Also present were County Administrator Kent McClain, County Counsel Daniel Montgomery, and Deputy Clerk of the Board of Supervisors Cynthia Slayton. Chairman Simmons presided.

CONSENT AGENDA

Upon motion of Supervisor Schrader, seconded by Supervisor Stocker, and unanimously carried, the Board took the following actions:

A. Clerk of the Board of Supervisors

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| 1) Approved minutes for the regular meeting of September 14, 2004, as written. | APPROVE
MINUTES |
| 2) Reappointed Robert Storm to the Yuba County Assessment Appeals Board No. II for a term to expire the first Monday of September 2007. | APPOINT
REP. |

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| B. <u>County Administrator</u> : Adopted Resolution No. 2004-150, which is on file in Yuba County Resolution Book No. 35, and which is entitled: "RESOLUTION APPROVING THE 2004-05 COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY REPORT AND PROGRAM PROJECTION FOR THE YUBA-SUTTER ECONOMIC DEVELOPMENT DISTRICT AS PREPARED AND RECOMMENDED BY THE COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY COMMITTEE." | ADOPT
RESOLUTION
NO. 2004-150 |
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| C. <u>Treasurer-Tax Collector</u> : Authorized Budget Transfer in the amount of \$7,500 from Account No. 101-0000-371-9411 (Megabyte Title Fees) to Account No. 101-1900-410-2310 (Professional Service Property Tax) for web access to the Property Tax System. | AUTHORIZE
B/T |
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PUBLIC COMMUNICATIONS

No one came forward.

PUBLIC WORKS

A. Loma Rica Road Rehabilitation Project: Public Works Director Kevin Mallen recapped the reconstruction and reclamation process used for repairing paved roads and responded to Board inquiries.

Upon motion of Supervisor Stocker, seconded by Supervisor Logue, and unanimously carried, the Board awarded the contract for the Loma Rica Road Rehabilitation Project to the apparent low bidder, Baldwin Contracting Company, Inc., and authorized the Chairman to execute the contract upon County Counsel review and approval. AWARD CONTRACT

B. Spenceville Road Reconstruction and Resurfacing Project: Upon motion of Supervisor Schrader, seconded by Supervisor Logue, and unanimously carried, the Board awarded the contract for the Spenceville Road Reconstruction and Resurfacing Project to the apparent low bidder, Baldwin Contracting Company, Inc., and authorized the Chairman to execute the contract upon County Counsel review and approval. AWARD CONTRACT

C. Final Map/Summerfield Estates: County Surveyor Gary Lippincott recapped the process for abandoning a portion of Dan Avenue and the Conditions of Approval for Summerfield Estates and responded to Board inquiries.

Upon motion of Supervisor Logue, seconded by Supervisor Griego, and unanimously carried, the Board adopted Resolution No. 2004-151, which is on file in Yuba County Resolution Book No. 35, and which is entitled: "RESOLUTION ABANDONING A PORTION OF DAN AVENUE AND APPROVING FINAL MAP OF TRACT NO. 2003-10 SUMMERFIELD ESTATES." ADOPT RESOLUTION NO. 2004-151

BOARD OF SUPERVISORS

A. Resolution No. 2004-136: Personnel Director Beverly Capaci recapped Resolution No. 2004-136 and issues of language clarity and requested the Board rescind the resolution with the intent to draft new language for future Board consideration.

Upon motion of Supervisor Schrader, seconded by Supervisor Logue, and unanimously carried, the Board rescinded Resolution 2004-136 regarding the delegation of certain authority to the County Administrative Officer. RESCIND RESOLUTION NO. 2004-136

CORRESPONDENCE

Upon motion of Supervisor Logue, seconded by Supervisor Griego, and unanimously carried, the Board accepted the following correspondence:

A. Letter from Mr. Herman Von Borstel requesting road repairs to the intersection of Feather River Boulevard and North Beale Road. REFER TO STAFF

Referred to Public Works

B. Letter from California Department of Housing and Community Development announcing award of a General Planning and Technical Assistance grant. REFER TO STAFF

Referred to Community Development

C. Letter from First Christian Church regarding the celebration of its 125th anniversary. REFER TO STAFF

Chairman Simmons received Board consensus to provide a proclamation to the church.

D. News Release from the United States Forest Service regarding fire restrictions in the northern Sierra Nevada. No Action.

BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Supervisor Stocker:

- Met with Challenge Experimental Forest Ranger regarding possible road closures
- SACOG Executive Director Martin Tuttle's retirement
- Discussed Sacramento Regional Blueprint insert in the Appeal-Democrat

Supervisor Logue:

- Discussed current Measure D endorsements
- Memorial Adjournment in memory of Carolyn Stallcup

County Counsel Dan Montgomery:

- Confirmed Measure D endorsements were by the Supervisors as individuals and not an official endorsement by the Board

At the request of County Counsel, and upon motion of Supervisor Schrader, seconded by Supervisor Griego, and unanimously carried, the Board added an item of threatened litigation to closed session. ADD ITEM TO CLOSED SESSION

Assistant County Administrator Randy Margo:

- Smart growth consortium meeting October 4, 2004
- Ongoing meetings regarding Andina Village with residents, Olivehurst Public Utilities District and California Rural Legal Assistance

CLOSED SESSION

The Board retired into closed session at 10:17 a.m. to discuss:

- A. Pending litigation pursuant to Government Code §54956.9(a) - Calvert vs. County of Yuba
- B. Personnel pursuant to Government Code §54957 – Department Head Evaluation/ County Administrative Officer
- C. Personnel pursuant to Government Code §54957 – Department Head Evaluation/ County Counsel
- D. Threatened litigation pursuant to Government Code §54956.9(b) – One Case

The Board returned from closed session at 11:45 a.m. with all Board and staff members present as previously indicated above. There was no announcement from closed session.

ADVISORY COMMITTEE

Chairman Simmons reactivated the Goldfields Advisory Committee retaining Supervisors Griego and Stocker as members to work with the Bureau of Land Management regarding negotiations with potential operators. REACTIVATE AD HOC

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 11:46 a.m. in memory of Mrs. Carolyn Stallcup by Chairman Simmons.

/s/Bill Simmons, Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

/s/Cynthia Slayton, Deputy Clerk Approved: October 12, 2004